

App. No. 10/001,279
Amendment Dated April 6, 2006
Reply to Final Office Action of February 8, 2006

REMARKS/ARGUMENTS

Claims 1-20 remain in this application for further review. Applicants assert that the claims are in condition for allowance. No new matter has been added.

I. Statement of Common Ownership

The present application and United States Patent No. 6,460,178 issued to Chan et al. (hereinafter "Chan") were, at the time the invention of the present application was made, owned by Microsoft Corporation.

II. Rejection of Claims 3-14 and 16-20 Under 35 U.S.C. 103(a)

Claims 3-6, 8-14, and 16-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,460,178 issued to Chan et al. (hereinafter "Chan") in view of United States Patent No. 5,949,972 issued to Applegate (hereinafter "Applegate"). Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Chan in view of United States Patent No. 6,463,583 issued to Hammond (hereinafter "Hammond"). As indicated in the Office Action, Chan qualifies as prior art only under 35 U.S.C. §102(e). The present application and United States Patent No. 6,460,178 issued to Chan were, at the time the invention of the present application was made, owned by Microsoft Corporation. Accordingly, the above rejection falls under 35 U.S.C. §103(c). 35 U.S.C. §103(c) reads as follows:

"Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person."

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In light of the above, applicants believe that Chan should be removed and that the obviousness rejection is obviated.

III. Rejection of Claims 1, 2 and 15 Under 35 U.S.C. §102(e)

Claims 1, 2 and 15 were rejected under 35 U.S.C. 102(e) as being anticipated by Chan. Independent claims 1 and 15 have been amended to include at least some of the same elements as independent claim 20 (which was rejected under 35 U.S.C. 103(a)). Claim 2 depends from independent claim 1. If an obviousness rejection in view of Chan is forthcoming against the above claims, applicants rely on the Statement of Common Ownership set forth in Sections I and II of this Response.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.



Ryan T. Grace

Registration No. 52,956

Direct Dial: 206.342.6258

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200

